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9 IN THE UNITED STATES DISTRICT COURT

10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA, )  
12 ) No. CR 08-0173 DLJ  
13 Plaintiff, )  
14 ) STIPULATION AND [PROPOSED]  
15 ) ORDER CONTINUING CHANGE OF  
16 ) PLEA DATE AND EXCLUSION OF  
17 ) TIME  
18 JUAN SARZA-GOMEZ, )  
19 )  
20 Defendant. )  
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22 IT IS HEREBY STIPULATED, by and between the parties to this action, that the change of  
23 plea date in this case, currently scheduled for Friday, May 23, 2008, before Honorable D. Lowell  
24 Jensen, may be continued to Friday, June 6, 2008, at 9:00 a.m. for change of plea and sentencing.  
25 The parties have reached an agreement, however defense counsel needs additional time to meet with  
26 Mr. Sarza-Gomez, with the assistance of an interpreter, and review the plea agreement. Should the  
Court continue the matter to June 6, 2008, it will provide enough time for counsel to meet with her  
client and review the agreement. The parties stipulate that the time from May 23, 2008, to June 6,  
2008, should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§

1 3161(h)(8)(A) and (B)(iv) for continuity of counsel and adequate preparation of counsel.

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3 DATED: May 22, 2008

/S/

4 JOYCE LEAVITT  
5 Assistant Federal Public Defender

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7 DATED: May 22, 2008

/S/

8 DANIEL KALEBA  
9 Assistant United States Attorney

10 I hereby attest that I have on file all holograph signatures for any signatures indicated by a  
11 conformed signature “/S/” within this e-filed document.

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## ORDER

14 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the change of plea date in this  
15 case, currently scheduled for Friday, May 23, 2008, before Honorable D. Lowell Jensen, may be  
16 continued to Friday, June 6, 2008, at 9:00 a.m. for change of plea and sentencing.

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18 IT IS FURTHER ORDERED that the time from May 23, 2008 to June 6, 2008, should be  
19 excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and  
20 (B)(iv) for adequate preparation of counsel. The Court finds that the ends of justice served by the  
21 granting of the continuance outweigh the best interests of the public and the defendant in a speedy  
22 and public trial and the failure to grant the requested continuance would unreasonably deny counsel  
23 the reasonable time necessary for effective preparation, taking into account due diligence.

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1 SO ORDERED.  
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3 DATED:  
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HONORABLE D. LOWELL JENSEN  
United States District Judge

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